SINGLE BENCH

(4) (1)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S)No. 584/2006 7

PETITIONER: Sunil Somvanshi, aged about 40 years Son of Shri D.S. Somvanshi ~~years~~, residence of Village Near Om Danteshwani Petrol Pump Kanker (C.G.)

VERSUS

RESPONDENTS 01. The State of Chhattisgarh, through the Secretary, Department of Education, D.K.S Bhawan, Raipur (C.G.)

P.R. No. 7073/06
Presented by Shri P. Kotecha
dated 5-12-06

2. The Director, Lok Shiksha Sanchanalay, D.K.S Bhawan, Raipur (C G)

3. The Collector, Kanker (CG)

04. The District Education Officer, Education Distt. Kanker (CG)

5. The State of Madhya Pradesh through: the Secretary, Department of Education, Vallabh Bhawan, Bhopal (Madhya Pradesh)

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WRIT PETITION UNDER ARTICLES 226/227 OF THE ONSTITUTION OF INDIA

01. PARTICULARS OF THE PETITIONER

59

HIGH COURT OF CHHATTISGARH AT BILASPUR

SINGLE BENCH : HON'BLE MR. SATISH K. AGNIHOTRI, J.

WRIT PETITION (S.) NO.584 OF 2007

Petitioner	:	Sunil Somvanshi
	versus	
Respondents	:	The State of Chhattisgarh and others

Present : Mr. Parag Kotecha, counsel for the petitioner.
Ms. Sunita Jain, Panel Lawyer for the State/ respondents No.1 to 4.

ORDER

(Passed on 29th Day of January, 2007)

The petitioner, by order dated 25-2-1986 (P-1), was appointed on ad hoc basis on a fix monthly pay of Rs.300/- as Deputy Teacher in Primary School, P.V. Koylibeda, District Kanker with the condition that the services of the petitioner can be terminated anytime with one month's notice. According to the petitioner, the petitioner was not permitted to join the school after he left the school for a substantial period of time.

2. The petitioner has not indicated the date when he was declined to join the school. The petition is vague, incomplete and lacks material facts. Even otherwise, the appointment of the petitioner is on ad hoc basis dehors the constitutional scheme of appointment and not

in accordance with the rules and regulations, thus, the petitioner has no right to the post.

3. It is well settled principle of law that the ad hoc employee, not appointed in accordance with the constitutional scheme of appointment and rules and regulations, does not have any right to the post. In absence of his right to the post, the petitioner cannot be granted relief of direction to the authorities to allow the petitioner to join the post.

4. Thus, this petition is accordingly dismissed summarily. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Gopal